

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE VEECO INSTRUMENTS INC. : No. 7:05-MD-01695-CM-GAY
SECURITIES LITIGATION :
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THIS DOCUMENT RELATES TO: :
ALL ACTIONS :
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**NOTICE OF MOTION AND MOTION IN LIMINE TO
PRECLUDE EVIDENCE OF LIABILITY INSURANCE**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and papers in support thereof, and all prior papers and proceedings had herein, Defendants in this action will move this Court, before the Honorable Colleen McMahon, at a date and time to be determined by the Court, for an order to Prelude Lead Plaintiff from presenting evidence at trial of this action (the "Securities Action") with respect to the fact or amount of Defendants' Directors & Officers

(or "D&O") liability insurance.

Dated: New York, New York
June 6, 2007

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